

TOWN OF FARMINGTON PLANNING BOARD

May 6, 2009

APPROVED MEETING MINUTES

The following minutes are written as a summary of the main points that were made and the actions taken at the Town of Farmington’s Planning Board Meeting. .

MEMBERS:

- David Degear, Chair
- Meg Godly
- Ron Herendeen
- Robert Kleman
- Scott Makin

Also present: Town of Farmington Director of Development and Planning Ron Brand; Town of Farmington Engineer Lance Brabant, MRB Group, P.C.; Farmington Fire Association Assistant Chief, Phil Robinson; David LaRue, McMahan LaRue Associates, P.C.; Greg McMahan, McMahan LaRue Associates, P.C.; Scott Gonyea, Farmington Senior Housing; Kris Rogers, Edgemere Development; Stephanie Simenik, 6135 Hanover Rd.; Shane Rothenburgh, 6135 Hanover Rd.; James and Cindy Dykes, 6137 Hanover Rd.; Gary Ball, 6129 Hanover Rd.; Walt Baker, DSB Engineers and Architects; Bernie Hoff, 6133 Hanover Rd.; Kim Rivera, Farmington Senior Housing; Joe Cattalani, Park Avenue Realtors; Dan Glasow, ADG Architecture.

Excused: Town of Farmington Code Enforcement Officer, Floyd Kofahl

OPEN MEETING:

The meeting was called to order at 7:01 p.m. After everyone recited the Pledge of Allegiance, Chairman Degear made the introductions of Planning Board members and staff. He explained the emergency evacuation procedures to those present and said that copies of the evening’s agenda and legal notices are available on a table by the door. Mr. Degear also asked that all present set their cell phones on vibrate.

APPROVAL OF THE MINUTES OF THE APRIL 1 AND APRIL 15 MEETINGS:

Chairman Degear explained that, at the last meeting, there were only two members able to act on the Minutes of the April 1st meeting. For this reason, there will be two sets of Minutes for action tonight.

Ms. Godly moved to approve the Minutes of the April 1, 2009 meeting with Mr. Herendeen seconding her motion. In a voice vote, Ms. Godly, Mr. Makin, Mr. Herendeen and Mr. Kleman voted aye. Mr. Degear abstained because he was excused from that meeting.

Mr. Kleman moved to approve the Minutes of the April 15th meeting. Mr. Herendeen seconded his motion. In a voice vote, Mr. Degear, Mr. Herendeen and Mr. Kleman voted aye. Ms. Godly and Mr. Makin abstained because they were excused from that meeting.

LEGAL NOTICES:

At the Chairman's request, the Clerk read aloud the legal notices which were published in the April 29, 2009 Daily Messenger.

PUBLIC HEARINGS:

PB 0503-09, SPECIAL USE PERMIT
PB 0504-09 PRELIMINARY SITE PLAN APPLICATION
PB 0505-09, FINAL SITE PLAN APPLICATION
NAME: JOE CATTALANI, 649 PARK AVE, ROCHESTER, NY 14622
LOCATION: 6089 LOOMIS RD
ZONING DISTRICT: GI
REQUEST: To utilize an existing building for a truck repair service

Chairman Degear told the Board that the property owner, James Hollingsworth, has written a letter requesting approval for this application.

Mr. Cattalani from Park Avenue Realtors appeared for this application. He explained that Motts' Trucking is interested in becoming a tenant on this site. He pinned up plans and said that the building was used originally to store and maintain Mr. Hollingsworth's commercial vehicles so it is ideal for this purpose. There is office space in front which will remain an office.

When the applicant finished speaking, the Chairman asked for staff comments.

Mr. Brand announced that a letter has been received from Shelley Associates' land surveyors protesting the use of Dave Matthews' map by the applicant. He recommended tabling the application and continuing the public hearing until the Board has an acceptable drawing.

The applicant expressed great surprise at this news, saying that Shelley Associates is doing the subdivision work for this project. He promised to have the matter resolved by the next Board meeting.

The Development Director told the Board that another option would be to deny the application without prejudice. Chairman Degear, after consulting with the other Board members, said that the Board prefers to proceed with this application by tabling it and continuing the public hearing. Mr. Makin added that it would be best to continue with the review tonight to make sure there are no other surprises to delay action.

Mr. Brand reminded the Board members that, according to their Rules of Procedure, they require 30 days' notice to hear an application. This would mean continuing the application to the June 3rd Board meeting. If the applicant needs additional time, it could be continued again on that date. Mr. Cattalani objected, asking to come back at the next meeting, May 20th. Ms. Godly pointed out that no one has had time to review the plans which he just handed out tonight. Mr. Brand added that they want a letter from Shelley Associates' saying they have been retained to do the site plan.

Mr. Brabant said that he had sent his comments to Shelley Associates since their name was on the plans. He asked where the trucks would be stored, how many trucks would there be and where would the trucks be repaired? He also said he would fax the checklist to Mr. Cattalani so the application meets the site plan specifications for the Town.

Mr. Robinson had no comments.

Chairman Degear announced that this is a public hearing and asked if there is anyone present who wishes to speak for or against this application. No one replied. He then repeated his question and, again, no one replied. He then asked for Board comments.

Mr. Makin recalled that the Board members had asked about the wetlands on the site at Monday night's workshop. Mr. Cattalani showed them on the plans. Mr. Makin concluded by saying that this application is "a good thing" for the site.

Ms. Godly had no comments.

Mr. Herendeen, who is familiar with the site, asked about the shop. The applicant said it is delineated in yellow on the map with the newer portion to the rear. Mr. Herendeen also said that he was concerned about the wetlands but thinks this use is a good fit for the site.

Mr. Kleman said that the Shelley Associates issue needs to be resolved before further action could be taken.

Mr. Degear had no comments.

At the Chairman's request, the Clerk read aloud a draft resolution to table this application until the June 3, 2009 Planning Board meeting. Mr. Kleman moved the resolution with Mr. Makin seconding. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

Scot Makin—aye

David Degear—aye

The resolution to table was adopted by a unanimous aye vote of all five Board members.

Next, Clerk O'Malley read aloud a resolution to continue the public hearing:

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has scheduled a public hearing for the above referenced application for tonight's Planning Board Meeting; and

WHEREAS, the Planning Board has received a letter from Shelley Associates, P.C., L.S.P.C., Engineers and Land Surveyors, dated May 4, 2009; and

WHEREAS, the Planning Board has received said letter that requests that all references to the map submitted as part of the application be deleted; and

WHEREAS, the Planning Board requests the applicant to honor this request and to submit an acceptable site plan, an essential component to the requested Special Use Permit,

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table the application and to continue the public hearing upon said application to the June 3, 2009 Planning Board Meeting

Mr. Herendeen moved to continue the public hearing while Ms. Godly seconded his motion. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

Scot Makin—aye

David Degear—aye

The resolution to continue the public hearing was adopted by a unanimous aye vote of all five Board members.

**PB 0509-09, TWO LOT PRELIMINARY SUBDIVISION APPLICATION
PB 0510-09, PRELIMINARY SITE PLAN APPLICATION
NAME: FARMINGTON 332 LLC, 99 RIDGELAND RD, ROCHESTER, NY
14623
LOCATION: NYS ROUTE 332, SOUTH OF NYS ROUTE 96
ZONING DISTRICT: IZ
REQUEST: To subdivide 9.4 acres for the construction of a one - two story, 88
units, 1 – 2 bedroom unit senior living complex**

Greg McMahon, engineer, and Dan Glasow, architect, appeared for this application. Also present were Scott Gonyea from Farmington Senior Housing and Kris Rogers from Edgemere Development.

Mr. McMahon began by explaining that the land was rezoned as Incentive Zoning in 2008. It is on both sides of Route 332. The senior housing is phase 1. They plan a new dedicated Town road to connect with the plaza to the north and possibly across to the race track. They can link up with the sewer on Hanover Road. There will be three ponds to control site water. Water mains can be brought in from the hydrants on Route 332.

Noting that the building design has been change to an X and located in a different part of the parcel, Mr. McMahon explained that there are federal wetlands on the site which prevented the original placement. There will be 90 parking places, two more than the 88 the Code requires.

The engineer went on to say that lighting plans have been provided. He has received comments from the Town Engineer and responded to them. He sees no major problems, just some discussion necessary on screening the parking areas, requirements for the dedicated road etc. None of these are deal breakers, he said.

Mr. McMahon went on to say that one condition of rezoning was the entrance from Route 332. At present, it is a right in and right out. However, NYSDOT (New York State Department of Transportation) officials recently expressed the possibility of a left turn into the complex.

Mr. Glasow spoke next. He gave information on the architectural details. Starting with the shape of the building, he explained that the X design meant the shortest walking distance for their elderly tenants. It is also the smallest footprint to save energy. The design offers views of the surrounding woods and should shield the building from the north wind.

The architect explained that there will be 88 units. 72 of these will be one-bedroom units (670-680 square feet) and 16 will be two-bedroom units (880-960 square feet). Each unit will have a private balcony or patio. The bathrooms will be handicapped accessible. Nine units will be totally handicapped accessible with the rest capable of being adapted, if necessary. Each unit will have laundry hook-ups.

He then showed the entire floor plan. Amenities, Mr. Glasow said, will include an elevator for second floor tenants, a covered entry porch where tenants can sit out, a security vestibule

requiring someone to buzz you in, a lounge and library, a mail room, a computer room, a community meeting room, a kitchen for catering parties, a public laundry, vending machines for snacks and a rear patio. Services will include 9 storage rooms along with indoor trash rooms and a recycling center so tenants don't have to go outside in bad weather with their trash.

Mr. Glasow said the second floor can be reached by several staircases and an elevator. Mr. Makin asked if the elevator would large enough for a gurney. The architect said yes.

Next, Mr. Glasow showed the elevations. He explained that the front view will be broken up by the patios and balconies. It will not look like a barracks. He then showed colored renderings. There will be a brick covered entryway, the architect said, with columns and cedar red gables overhead. The façade will have a brick plinth and beige vinyl siding. There will be decorative louvers in the gables. Each unit will have a forced air furnace and air conditioning but these will be hidden from view. The building will be fully sprinklered in case of fire.

Ms. Godly asked about the landscaping. Mr. McMahon responded, putting up the plans again. He said that the wooded wetlands will be maintained. Willows will be planted around the pond along with dogwood, pines and winterberries around the pond area and by the entrance. Bradford pear trees will be planted around the building with red maples on the west side. Barberries and boxwood will also be around the entryway.

Ms. Godly expressed concern that the landscaping seemed sparse and said that she hopes there will be more shown for the final plans. Mr. McMahon responded that they want to hear the Board members' comments tonight.

The applicants pointed out that the landscape plan includes a walking trail around the pond and going out to the sidewalk along 332. It will be made of stone dust or chips. There will be scattered benches along it.

When the applicants finished speaking, the Chairman asked for staff comments.

The Director of Development discussed his recent meeting on this application with David Goehring, Regional Permit Administrator, Robert Dunnenbach, Regional Design Engineer and Greg Trost, Resident Engineer, NYSDOT, Ontario County. In general, the DOT staff was pleased with the implementation of the official corridor map and the connection with Aldi's. However, they expressed concern about people using it as a short cut to Dunkin Donuts or KFC from Route 96. They are also willing to consider a signalized intersection with a left turn in the future when the volume of traffic requires it. They want a preliminary design for the left turn. A raised median will channel the traffic south.

Mr. Brand went on to ask the Planning Board to consider a design for the hammerhead and a street tree planting program. Street lights along the roadway are also needed. Other points that need more information include:

1. When will the sidewalks be installed?
2. Site lighting must meet Town Code standards.
3. More information on landscaping is needed.
4. The road to the west needs to be maintained in winter for emergency access.
5. Approvals from the Ontario County Planning Board (OCPB) and NYSDOT are needed before Preliminary Plat approval.

The Town Planner concluded by saying that this is a well designed plan for a facility that meets a Town need.

The Town Engineer agreed that this is a good plan. He would like to meet with the applicants to discuss some of the details such as the numbering of the lots of the Mercier property. Mr. McMahon expressed his willingness to meet with Mr. Brabant and to have consistency in the lot numbering.

Mr. Brabant also stated that he needs information on the erosion control along Beaver Creek. Mr. McMahon told him that they will have an Article 15 permit from the DEC to put the sewer line under Beaver Creek. The Town Engineer advised the applicants to discuss the manhole with the Water and Sewer Superintendent, Jim Crane.

Mr. Brabant concluded by explaining that the Highway Superintendent, Ed McLaughlin, will not take dedication of the road until it has a connection constructed to the north, south or to the left turn. Right now, it is a driveway going nowhere.

Chairman Degear urged the applicants to meet with the Sewer and Water Superintendent and with the Highway Superintendent as soon as possible.

The Assistant Fire Chief said that access and safety are the main concerns of the Fire Association. Mr. McMahon responded that the perimeter road will meet the Fire Code. He will work with the Fire Association so their vehicles have 360 degree access.

Chairman Degear announced that this is a public hearing and asked if there is anyone present who wishes to speak for or against this application.

James Dykes of 6137 Hanover Road rose and said he has a concern with site lighting since he lives directly across from this project. He also asked the distance between the pond and the Creek. Mr. McMahon said 30 feet and that the pond discharges into the creek. Mr. Dykes present photos of the spring flood of 2005 to show the Board how high the creek water can get. Chairman Degear assured him that the Board and applicants are well aware of the water problems on this site.

Mr. Dykes also asked about the undeveloped 55 acres. Mr. McMahon said these could remain open or be purchased and developed under Incentive Zoning. The idea is for commercial development along Route 332 on the east side, residential housing behind the senior housing, and commercial buildings on the east side of 332, perhaps a hotel to tie in with the Water Park or medical offices. The property owner is trying to market these parcels.

As for water problems, Mr. McMahon pointed out that the ponds are designed to keep water away from the creek.

The next speaker identified himself as Shane Rothenburgh from 6135 Hanover Road. He asked if there will be lighting along the walkway by the creek. The applicants said no. Mr. McMahon assured everyone that all lighting will be dark sky compliant according to the Town Code. Chairman Degear also told the public that the Board will ensure this regulation will be obeyed.

Gary Ball of 6129 Hanover Road explained that his property backs onto this site. He asked about the zoning change and was told that it had been enacted by the Town Board last fall. He also

questioned having 88 apartment units on one access road. Mr. Robinson said that two entrances are recommended.

Mr. Ball also asked how children will be kept out of these units. Kris Rogers from Edgemere Development explained that there will be a deed restriction. Mr. Ball then enquired about the need for two bedroom units. Ms. Rogers said that there might be two unrelated adults sharing an apartment or one member of a couple might be incapacitated and need a separate room.

Bernie Hoff of 6133 Hanover Road inquired about fencing on the property. The Chairman assured him that no fence around the site is planned, only landscaping.

Stephanie Simenik of 6135 Hanover Drive asked if they will be clearing the site along the Creek. Mr. McMahon said only the area of the building and pond will be cleared. The rest will be maintained in its natural state. Chairman Degear promised her that the Board will work to save as many trees as possible. He went on to say that the applicants are meeting the Planning Board's requests for site amenities such as trails.

When members of the public finished speaking, the Chairman left the public hearing open and asked for Board comments.

Mr. Makin asked about cable and Wi-Fi. He was told that the site will offer both. He also asked if one elevator is sufficient to serve 44 apartment units. The applicants said yes. The Board member questioned the number of parking spaces, 90, since there are 88 apartments. He was told that seniors do not drive much and no one wants a sea of asphalt around the building.

Mr. Makin then asked about storage space. The applicants said that the storage cubicles will be 25 square feet and seniors are usually getting rid of stuff. They want to discourage unnecessary storage. Mr. Brand pointed out that there are storage units for rent across Route 332. Mr. Makin told the applicants that no one wants to see the patios and balconies used for storage.

Ms. Godly asked the project architect if this will be a green building. Mr. Glasow said not totally but they will be using recycled materials and it will be energy efficient. Ms. Godly asked him to document these environmental steps on the plans. Ms. Rogers pointed out that they will be following the State Green Guidelines. The Board member requested that a summary of these be provided for the file.

Ms. Godly then inquired if there will be van service to stores. The applicants said no, this is affordable housing. The tenants will be younger seniors able to drive. Ms. Godly recalled that the applicants previously described their prospective tenants as seniors who do not drive much. There is a conflict there. She also pointed out that visitor parking will be needed for either group. Ms. Rogers said that Thompson Health offers home services and the applicants will be getting more information on these. Ms. Godly asked for an assessment of who the tenants will actually be for the next time the applicants appear. She also asked for a list of what can and cannot be stored on the patios/balconies.

Mr. Herendeen said all his questions have already been asked.

Mr. Kleman asked if there will be any way for persons in wheelchairs to open the main entrance doors. The applicants said there will be an electric button.

(At 8:37 p.m., the Board members agreed to take a short break and the tape recorder was turned off. Chairman Degear reconvened the meeting at 8:47 p.m. and the tape recorder was turned back on.)

PB 0306 -09, 3 LOT PRELIMINARY SUBDIVISION APPLICATION
NAME: MORGAN PLASTER MILL, LLC, 1170 PITTSFORD VICTOR
ROAD, PITTSFORD, NY 14534
LOCATION: LOCATED AT THE NORTHWEST CORNER OF PLASTER
MILL RD AND GATEWAY DR
ZONING DISTRICT: RESIDENTIAL MULTI-FAMILY DISTRICT.
REQUEST: Request a three lot subdivision approval of Saratoga Crossing
Subdivision to create lot #1 consisting of 15.121 acres, lot #2 consisting of 10.096
acres, and lot #3 will consist of 12.134 acres. (Continued)

Mr. Brand told the Board members that the ZBA has not yet acted on the variances needed for this application. The applicant has requested a postponement tonight.

Mr. Makin made a motion to table this application until the June 3, 2009 meeting since the next ZBA meeting is on May 18th. The Board members agreed that staff will need time to review all the variances before the Planning Board acts. Ms. Godly seconded the motion. In a voice vote, all five Board members voted aye to carry the motion.

Next, Mr. Makin moved a resolution to continue the public hearing:

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has scheduled a public hearing for the above referenced application for tonight's Planning Board Meeting; and
WHEREAS, the Planning Board must await the County Planning Referral under the General Municipal Law; and
WHEREAS, the Planning Board requests clarification of the issues and concerns identified in the Public Hearing record to date; and
WHEREAS, the Planning Board desires all Town staff input on these issues and concerns, NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table the application and to continue the public hearing upon said application to the June 3, 2009 Planning Board Meeting.

Mr. Herendeen seconded the motion. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

Scot Makin—aye

David Degear—aye

The resolution was adopted by a unanimous aye vote of all five Board members.

PB 0302 -09 PRELIMINARY 63 LOT SUBDIVISION APPLICATION
NAME: A & D DEVELOPMENT, 22 WHITESTONE LANE, ROCHESTER,
NY 14618
LOCATION: ESTATE OF BEAVER CREEK. EAST SIDE OF NEW
MICHIGAN ROAD AND ON THE NORTH SIDE OF
TOWNLINE RD

REQUEST: Request a 63 lot subdivision approval for the purpose of cluster development (TL278) for single family homes.

Walt Baker from DSB Engineers and Architects and Ernie Ackerman from A&D Development appeared for this application. Mr. Baker explained that they have amended the plans to show the future Town parkland to be lot #64. They have also addressed all the Town Engineer's comments. Tonight they are asking approval for the Preliminary Plat.

Mr. Brand recalled that the Planning Board informed all involved agencies last month of its intention to declare itself lead agency. The required 30 days have passed with no objections being voiced so this declaration can be done tonight. However, no other action is possible because SHPO (State Historic Preservation Office) has requested input regarding the site's proximity to historic maps. The Development Director faxed this request to Mr. Baker on April 13th. Mr. Baker reported that he responded on April 23rd. However, there has been no reply from SHPO to date. Mr. Brand explained that, since the Town will own the roads, sewers etc. in the development, the Planning Board cannot do any approvals tonight.

Ms. Godly asked if there is any timeline for a reply. Mr. Baker said the only timeline is 30 days for the developer to provide information. SHPO has no deadline.

There were no other Board comments on this application.

The Town Engineer said he had 12 comments but the revised plans have satisfied these. His April 23rd letter states that all comments for Preliminary Plat approval have been addressed.

The Board members agreed by consensus to waive the reading of the SEQR Declaration of Intent for Lead Agency status since they are very familiar with its wording and there were no members of the public present. Mr. Makin moved the resolution with Ms. Godly seconding his motion. In a voice vote, all five Board members voted aye to carry the motion.

Ms. Godly then moved to continue the public hearing until the May 20th Planning Board meeting"

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has scheduled a public hearing for the above referenced application for tonight's Planning Board Meeting; and

WHEREAS, the Planning has requested responses from the Involved Agencies as part of a coordinated review under SEQR; and

WHEREAS, the Planning Board has been informed by the State Historic Preservation Office (SHPO) of the need for additional site specific information; and

WHEREAS, the Planning Board desires said response from SHPO,

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table the application and to continue the public hearing upon said application to the May 20, 2009 Planning Board Meeting.

Mr. Herendeen seconded the motion. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

Scot Makin—aye

David Degear—aye

The resolution was adopted by a unanimous aye vote of all five Board members.

SITE PLAN APPROVAL

PB 0507-09 PRELIMINARY SITE PLAN APPLICATION

PB 0508-09 FINAL SITE PLAN APPLICATION

**NAME: COBBLESTONE ARTS CENTER, 1622 NYS ROUTE 332,
FARMINGTON, NY 14425**

LOCATION: 1622 NYS ROUTE 332

ZONING DISTRICT: GB

**REQUEST: To construct a 2,000 square foot addition between the existing
Building 1 and building 2**

Since the applicant requested that this application be continued until the next Planning Board meeting, Ms. Godly moved to table it until the May 20th meeting. Mr. Herendeen seconded her motion. In a voice vote, all five Board members voted aye to carry the motion.

AUBURN MEADOWS SECTION 3, Application for reconsideration

Mr. Ackerman and Mr. Baker also appeared for this application.

Lance Brabant from MRB began by providing an update on this application. At the April 15th Board meeting, he said, his colleague Jim Peet was present. In a March 16th letter to the applicant, Mr. Peet had requested a box beam detail to replace a wood rail on the bridge over the culvert. However, the Highway Superintendent asked for a wood rail because it would look better. Mr. Peet reported this in his April 8th letter.

The Town Engineer went on to say that MRB recommended that metal be used in place of timber which can deteriorate over time. Chairman Degear added that he, too, was concerned about this issue which is why he voted against the application at the last Board meeting. He reported that he has since met with Mr. McLaughlin who expressed his wish for something esthetically pleasing. After researching the subject, both men agreed on a steel/wood system to meet both concerns.

Mr. Degear also explained that there were only three Board members at the last meeting on April 15th. The vote on this application was two ayes and one nay. This meant it did not receive a majority vote of the Board, not that it was denied, and so the Board members can act on it again tonight when the entire Board is present.

Mr. Ackerman agreed to meet the Town's requirements so he can start construction.

Ms. Godly asked the applicant to restate what the Board was requesting to make sure there is no misunderstanding. Mr. Baker replied that they will install steel posts in the ground and attach a steel box beam and a steel/wood horizontal board. Ms. Godly added that the bridge will be steel with a wood overlay.

The Board members agreed to use the same resolution as on April 15th with the addition of a 13th condition specifying the bridge. Chairman Degear told the applicants that the County has the information on the steel/wood product.

Mr. Makin then moved to approve PB 0903-08 Final 48 Lots Subdivision Application for Auburn Meadows, Section 3, with the following conditions:

1. *A Site Development Surety/Bond in the amount approved by the Town Engineer and accepted by the Town Board shall be required prior to obtaining a site development permit.*
2. *The title of the drawing is to read "Final Plat, Auburn Meadows Subdivision, Section 3, Lots 301 through 348."*
3. *All conditions of preliminary plat approval granted by the Planning Board on September 26, 2008, have been made and are shown or identified in a note on the Final Plat Map.*
4. *The Final Plat Approval is valid for a period of 180 days from today and shall expire unless extended by the Planning Board at a later date and by separate resolution.*
5. *Once the Planning Board Chairperson's signature is affixed to the Mylar plus four (4) prints, the Final Plat Mylar Map and two (2) paper prints are to be filed with the Ontario County Clerk's Office within 62 days of signing.*
6. *All erosion control measures shall be installed and inspected by the Town Code Enforcement Officer or his/her representative prior to any permits being issued. This statement shall be noted on the final plans.*
7. *All site lighting shall be compliant with the Town's Lighting Regulations, Chapter 165, of the Town Code.*
8. *Third party inspections may be required by the Town C.E.O. at the expense of the owner/developer.*
9. *The final plat shall be signed by all Department Heads and the Town Engineer prior to the Planning Board Chairperson's signature.*
10. *A Park and Recreation Fee shall be required to be paid prior to the issuance of any Building Permit in this section.*
11. *All improvement districts shall be established by the Town Board prior to the issuance of any Certificate of Occupancy for any lot in Section 3.*
12. *The trail shown on the Final Plat maps will be constructed prior to the issuance of the first Certificate of Occupancy.*
13. *There shall be installed a steel guide rail system with a treated wood fascia as approved by the Town Highway Superintendent and MRB.*

The motion was seconded by Ms. Godly. The following roll call vote was taken and recorded:

Meg Godly—aye

Ron Herendeen—aye

Robert Kleman—aye

Scot Makin—aye

David Degear—aye

The resolution was adopted by a unanimous aye vote of all five Board members.

DISCUSSION

OPEN DISCUSSION

Report: Director of Development**1. Auburn Meadows Subdivision Sec 2 LOC release #11**

Mr. Brand reported that a request has been received from MRB for the release of this letter of credit. All department heads have signed off on it. Now the Planning Board is asked to approve a request to the Town Board for the release of \$50,779.00. Ms. Godly made the motion to approve with Mr. Herendeen seconding. In a voice vote, all five Board members voted aye to carry the motion.

2. Auburn Meadows Subdivision Sec 2 LOC release #12

Next, Mr. Brand reported that a request has been received from MRB for the release of this letter of credit. All department heads have signed off on it. Now the Planning Board is asked to approve a request to the Town Board for the release of 30,632.20. Mr. Makin made a motion to approve with Mr. Kleman seconding. In a voice vote, all five Board members voted aye to carry the motion.

Mr. Brand also asked to be excused from May 20th Board meeting. He requested the Board members to get any thoughts or concerns about the items on the agenda to him in time for his response.

Report: Town Engineer

Mr. Brabant said he had no report. However, in answer to questions from the Board, he reported that his son, Mason Alexander, arrived on April 24th weighing 8 pounds 12 ounces. Mother and baby are doing well.

Report: Chairman of the Board

Mr. Degear reported that he attended an excellent workshop on Incentives for Green Development at Houghton College.

PUBLIC COMMENTS--none**ADJOURNMENT OF MEETING**

The next meeting of the Planning Board will be at the Town Hall on Wednesday, May 20, 2009 at 7 p.m.

Ms. Godly made a motion to adjourn with Mr. Kleman seconding it. In a voice vote, all five Board members voted aye to adjourn at 9:25 p.m.

These minutes were taken and respectfully submitted by

Leslie C. O'Malley, Ph.D.
Clerk of the Board